

FILED

MAY 10 2005

CLERK, U.S. DISTRICT COURT
 By _____ Deputy _____

JOE E. DANIEL,**Plaintiff****v.****COMMISSIONER OF SOCIAL SECURITY,****Defendant.****Civil Action No. 3:02-CV-2758-P****ORDER**

After making an independent review of the pleadings, files, and records in this case, and the Findings, Conclusions, and Recommendation of the United States Magistrate Judge, I am of the opinion that the Findings, Conclusions, and Recommendation of the Magistrate Judge are correct and are adopted as the Findings and Conclusions of the Court.

It is therefore ORDERED that the Findings, Conclusions, and Recommendation of the United States Magistrate Judge are adopted. Accordingly, *Plaintiff's Motion for Summary Judgment* is **GRANTED**, *Commissioner's Cross-Motion for Summary Judgment* is **DENIED**, and the case is hereby remanded to the Commissioner for further proceedings. In particular, the Commissioner should consult a medical expert to determine the onset date of Plaintiff's disability.

SO ORDERED, this 10th day of May, 2005.



JORGE A. SOLIS
UNITED STATES DISTRICT JUDGE